

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUWAY HEALTH, INC.,

Plaintiff,

-v-

TEXAS WOMAN'S UNIVERSITY,

Defendant.

24 Civ. 8218 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

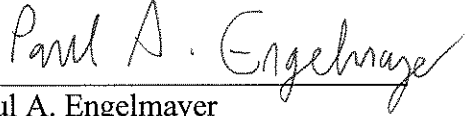
On October 28, 2024, plaintiff filed the Complaint in this case. Dkt. 1. In the Complaint, plaintiff invokes the district court's subject matter jurisdiction under 28 U.S.C. § 1332(a)(1), which provides for jurisdiction over disputes between "citizens of different states." For diversity purposes, a corporation takes on the citizenship of any state in which it has been incorporated and of the state where it has its principal place of business. *See* 28 U.S.C. § 1332(c); *Hertz Corp. v. Friend*, 559 U.S. 77, 80 (2010).

Plaintiff alleges that Truway Health, Inc. is "a Florida-based healthcare e-commerce company with business addresses in Miami, Florida, and New York, New York," Compl. ¶ 1, and that defendant Texas Woman's University is "an educational institution with its principal office in Denton, Texas, and commercial transactions conducted . . . within New York," *id.* ¶ 2. Plaintiff does not identify defendant's corporate structure, nor does it adequately allege the citizenship of either party.

The Court has an "independent obligation to determine whether subject-matter jurisdiction exists." *Hertz Corp.*, 559 U.S. at 94. Accordingly, the Court directs plaintiff to file

an amended pleading amplifying factually as to each party's citizenship and the basis for so claiming. This pleading is due by Friday, November 8, 2024.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: October 30, 2024
New York, New York